

Remarks

The above amendments and present remarks explain the allowability of each of the pending claims. The remarks address each of the points raised in the action. A Notice of Allowance should now issue.

Items 1-3 of Action, Section 101 and 112 Rejection of Claims

The action rejects the claims as improperly claiming both apparatus and process within the same claim set. Applicant's claims do not cover the process or method, they rather exclusively cover an apparatus. Applicant has clarified independent claim 1 to relate the elements unambiguously to apparatus as opposed to process claims. Applicant has made it clear that the control unit provides for certain functionality of certain structural elements of the apparatus. Describing the structure of the control unit with reference to its functional features is appropriate. See Section 112, Paragraph 6. Applicant disagrees that it has to define the control unit in terms of source code or the like. The control unit is unambiguously defined as having a configuration and interface which provides particular functionality to the rest of the apparatus. Indeed, it is appropriate to define how one component is interfaced with another component by reference as to how the components operate together. How the components operate together defines the meets and bounds of the apparatus and does not define a process.

The rejection to the claims based on Section 101 and 112 should be withdrawn.

Claim Rejections 35 USC §102

The action rejects claims 1, 4-7 as being anticipated by Abrams. Applicant disagrees. Abrams does not have a control unit configured and interfaced as now recited in amended claim 1. For instance, Abrams does not have a control unit which controls the extruder and the metering device to have identical run-up times and deceleration times. Moreover, Abrams' control unit is not configured and interfaced to control the extruding process and compounding process according to a cycle time of the processing unit. Also, Abrams does not have a control unit that triggers the operation of these processes only when a melt strand is ready to be extruded. Finally, Abrams does not call for a control unit to continuously drive the screws during the cycle times.

Applicant further disagrees that Abrams even discloses Extruders. An extruder, by definition does not move in the direction of the axis. Abrams is concerned solely with injection molding and not extrusion and Abrams specifically moves in the direction of the axis.

As Abrams does not disclose the limitations recited in amended claim 1, Abrams does not anticipate amended claim 1. Further, as claims 4-9 are dependent on claim 1, Abrams does not anticipate these claims for the same reasons. The anticipation rejection to claims 1, 4-9 should be withdrawn.

35 U.S.C. §103 Rejection of Claims

The action rejects claim 8 for the reasons set forth with regards to claims 1, 4-7 and for additional reasons, in view of the reference Scheuring (5879602) Applicant has explained why the action's arguments based on Abrams do not apply to claims 1, 4-7. For the same reasons with regards to these claims, they do not apply to claim 8 which includes all of the limitations of claim 1. The rejection to claim 8 should be withdrawn.

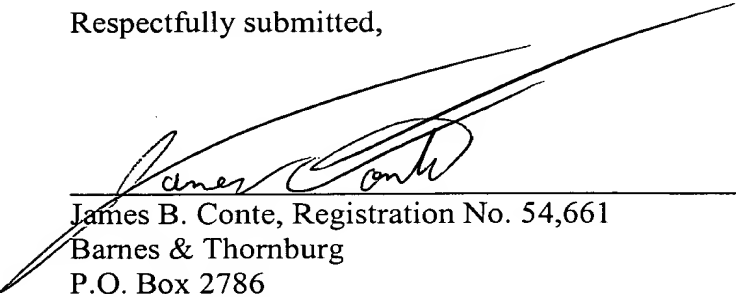
The action rejects claims 9, 13 and 14 by relying on the same arguments used to reject claims 1 and 4-7; and in further review of Henry and Coon or Fisher Plastics. First, for the reasons cited with respect to claims 1, 4-7, claims 9, 13 and 14 are allowable. Abrams simply does not teach the limitations in claim 1 which are incorporated into claims 9, 13 and 14. The secondary references are not cited for, and do not make up for the short comings of Abrams. Notably Henry uses a simple feed screw. The feed screw is used to feed molten plastic material into the molding machine. The feed screw is not an extruder with metering devices as recited by applicant's claims.

Conclusion

Applicant has amended claim 1 to overcome the 101 and 112 rejections. Applicant has presented arguments to clarify the allowability of the claims over the cited references. A notice of allowance should now issue.

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Respectfully submitted,



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